

LEGISLATIVE FISCAL OFFICE

Fiscal Note

ACT 179

Fiscal Note On: HB 90 HLS 09RS 836

Bill Text Version: ENROLLED

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:



Date: July 8, 2009	9:36 AM	Author: LIGI
Dept./Agy.: Corrections		
Subject: Crime		Analyst: Kristy F. Gary

CRIME

Amends the crime of cruelty to animals

EN INCREASE GF EX See Note

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The proposed legislation amends the elements and penalties of the crimes of simple and aggravated cruelty to animals. Proposed law provides that whoever commits a second or subsequent offense of simple cruelty to animals shall be fined not less than \$5,000 and not more than \$25,000 or imprisonment, with or without hard labor, for not less than one year nor more than 10 years, or both, and shall be banned by court order from owning or keeping animals for a period of time deemed appropriate by the court. Proposed law also provides that in addition to any other penalty imposed for a violation of the crime of simple cruelty to animals the court may order a psychological evaluation or anger management treatment for a first conviction of the crime of simple cruelty to animals. For a second or subsequent conviction, the court shall order a psychological evaluation or anger management treatment. Proposed law provides that costs associated with examination or treatment shall be borne by the defendant.

EXPENDITURES	2009-10	2010-11	2011-12	2012-13	2013-14	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2009-10	2010-11	2011-12	2012-13	2013-14	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed legislation would result in an increase in state general fund expenditures. The exact fiscal impact of the passage of this legislation is indeterminable, as this legislation adds elements and increases the penalties to the crime of cruelty to animals. However, expenditures could increase by \$24.39 per day per offender sentenced to the custody of the Department of Public Safety and Corrections (assuming state inmates are housed at the local level).

For informational purposes according to the Department of Public Safety and Corrections, there are currently 3 inmates incarcerated for cruelty to animals with an average sentence of 5.63 years and 1 inmate incarcerated for aggravated cruelty to animals with a sentence of 5 years.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure. However, any revenue generated through the imposition of fines created by this legislation would accrue to local governmental entities.

Senate

☐ 13.5.1 >= \$500,000 Annual Fiscal Cost

☐ 13.5.2 >= \$500,000 Annual Tax or Fee Change

Dual Referral Rules

House

☐ 6.8(F) >= \$500,000 Annual Fiscal Cost

☐ 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease

Robert E. Hosse

LFO Staff Director